

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

ROMAN BRIK,

Plaintiff,

- against -

JANET MCFARLAND, individually, and
COURT OFFICER LAVANCO (badge #6248),
individually

Defendants.

Case No.: 1:23-cv-03507-AMD-LB

ORAL ARGUMENT ON MOTION
REQUESTED IN CASE OF DENIAL

Presiding Judge: Honorable Ann M. Donnelly

MOTION FOR ANOTHER EXTENSION TO FILE AMENDED COMPLAINT

1. I, Roman Brik, the undersigned pro se Plaintiff, am hereby respectfully moving to extend the time graciously granted by the Court to file my amended complaint in the case above **by additional 45 days**.
2. As mentioned previously, the court issued a decision (dated June 29, 2023, but mailed and delivered much later), directing me to file an amended complaint. My initial complaint was filed on 5/5/2023. It took the court itself almost two months to issue a decision. The Court graciously granted me two short prior extensions.
3. As mentioned in my prior motion, Israel is the country in which our family lived for many years (before the underlying Family Court cases), and I still have very close relatives there, including my dad, his spouse (my mother died), her daughter and son-in-law, who live not far from Gaza, an area which is still subjected to rocket shelling and countless alarms and orders to take shelter. **This continuous war, and the increasing atmosphere of antisemitism in New York caused an unprecedented disturbance, for which I apologize.**
4. Also, the timely appeal on the decision above - including the improperly enmeshed decision refusing recusal - despite Judge Donnelly's clear conflict of interest as a former state judge still on state payroll, complaints and requests I filed - **is still pending in the 2nd Circuit (No. 23-1106)**, and it would be improper for the District Court to intervene in a pending proceeding adjudicated by the higher court, which is highly likely to change the courts of the whole underlying case.
5. Likewise, a separate federal case which I filed - 1:23-cv-04330 *Brik v. Brodie* - contesting this Court's discriminatory local rules chaining me to the same judge, has been similarly pending - but moving toward resolution: Judge Lewis J. Litman held a phone conference with me and the US Attorney representative (something that I never got from this Court, once again emphasizing the disparity addressed in my lawsuits) on 10/12/2023, setting the case schedule - **and stating on the record that my arguments are not frivolous and should be considered properly**. The results of *Brik v. Brodie* case will have an immediate impact on the instant case, and will lead to reassignment of the case from Judge Donnelly - which I've been requesting.
6. Finally: the results of my complaints against Judge Donnelly and the additional annual reports filed by her, have still not been provided to me due to stated workload. The reports are critical to demonstrate the long-term pattern of receiving very large sums of money from the same state, in connection to the same judiciary whose lawlessness and abject refusal to follow the U.S. Constitution I have been exposing.
7. The court didn't ask the government to appear for the opposing party, and thus no one could be opposing the extension requested by a pro se victim, whose indigent status has been affirmed by numerous federal and state judges, and who doesn't have access to the immense resources of the state attorneys.

Respectfully submitted and signed on: December 8, 2023.

Roman Brik
Staten Island, NY 10314